

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

RONNIE FOX, II ,)	
)	
Plaintiff,)	
)	
v.)	No. 3:03-CV-547
)	(PHILLIPS/GUYTON)
MARYVILLE COLLEGE, SHARON R. WOOD)	
and PHILLIP WILKS,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the undersigned, pursuant to referral from District Judge Thomas Phillips [Doc. 30], for disposition of the defendants' Motion to Modify Briefing Schedule [Doc. 26].

The Court heard oral argument on July 25, 2005. Attorneys Thomas Scott and Chris Cain were present for the plaintiff. Attorney Weldon Patterson was present for the defendants.

During the course of the July 25, 2005 hearing, three oral motions were made. The defendants moved to extend the discovery deadline. The parties jointly moved for a continuance of the trial date. The plaintiff moved to limit the duration of the plaintiff's evaluation to be done by Eric Engum.

The Court finds that the written Motion [Doc. 26] and the three oral motions are well taken and, therefore, all four motions are **GRANTED**, as follows:

1. The trial of this cause, previously set for August 18, 2005, is continued to **May 23, 2006**. The parties will contact the chambers of Judge Phillips to schedule a pretrial conference. New deadlines for the submission of a

Pretrial Order, motions in limine and requested jury instructions shall be in conformance with the Scheduling Order [Doc. 8].

2. The discovery cut-off for all parties is extended to and including **November 1, 2005**. Discovery after that date shall be by leave of court or written agreement of the parties.
3. Each party shall have until and including **November 15, 2005** to file an additional brief relative to the defendants' Motion to Dismiss Or For Summary Judgment [Doc. 18]. It is not mandatory, however, that any additional brief be filed; it is at the election of each party.
4. The plaintiff's evaluation by Eric Engum shall be limited to one full work day, not to exceed ten hours. Thereafter, if the defendants believe Dr. Engum needs additional time, they may have leave to file a motion.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge